

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MICHAEL DENTON,

Plaintiff,

v.

TIM THRASHER,

Defendant.

CASE NO. 3:20-cv-05968-TSZ-JRC

ORDER DIRECTING  
SUBMISSION OF SERVICE  
INFORMATION FOR UNSERVED  
DEFENDANT

The District Court has referred this 42 U.S.C. § 1983 civil rights action to United States Magistrate Judge J. Richard Creatura. The Court's authority for the referral is 28 U.S.C. § 636(b)(1)(A) and (B), and local Magistrate Judge Rules MJR3 and MJR4.

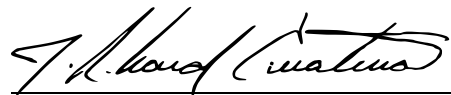
Plaintiff, proceeding *pro se* and *in forma pauperis* ("IFP"), initiated this matter on September 29, 2020 (Dkt. 1) and filed an amended complaint on October 29, 2020 (Dkt. 14). On October 30, 2020, the Court directed service of plaintiff's amended complaint on the named defendants. Dkt. 15. All defendants with the exception of defendant "Dr. Peterson" have appeared through counsel and have filed waivers of service. Dkts. 19–37, 40, 43, 46, 47, 51.

1 Defendants' counsel has filed a notice stating that the Department of Corrections has been unable  
2 to identify a current or former employee named Dr. Peterson, and counsel has been unable to  
3 locate a State of Washington employee by this name. Dkt. 38. As a result, defendant Dr. Peterson  
4 has not been served in this matter and is not subject to the Court's jurisdiction.

5 Although the Court has directed service of the summons and complaint, plaintiff still  
6 bears the burden of providing accurate and sufficient information to effect service. *See Walker v.*  
7 *Sumner*, 14 F.3d 1415, 1422 (9th Cir. 1994), *overruled on other grounds by Sandin v. Conner*,  
8 515 U.S. 472 (1995); *see also* Fed. R. Civ. P. 4. When an IFP plaintiff fails to provide the Court  
9 with accurate and sufficient information to effect service of the summons and complaint, it is  
10 appropriate for the Court to *sua sponte* dismiss the unserved defendant. *See Walker*, 14 F.3d at  
11 1421–22.

12 Plaintiff is directed to provide the complete name and address for defendant Dr. Peterson  
13 so the Court can effect service. This information must be provided to the Court on or before  
14 April 12, 2021 or the Court may recommend dismissal of Dr. Peterson from this action without  
15 prejudice.

16 Dated this 11th day of March, 2021.

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20 J. Richard Creatura  
21 United States Magistrate Judge  
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